UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LANA K. GIALLELLA and PASCAL A. GIALELLA, Plaintiffs, v. DAVOL INC. and C.R. BARD, INC., Defendants.	)	Case No.: 08 CV 0447

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the annexed Motion for Adjournment of Conference, Declaration of Suzanne M. D'Amico dated July 25, 2008, and the exhibit annexed thereto, defendants will move this Court before the Honorable Hugh B. Scott at the United States District Courthouse for the Western District of New York, on a date and time to be designated by the Court, for an Order adjourning and or cancelling the conference scheduled for July 29, 2008, and for such other and further relief as this Court deems necessary and proper.

Dated: New York, New York
July 25, 2008

PEPPER HAMILTON LLP

[signature]

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MOTION FOR ADJOURNMENT OF CONFERENCE

Pursuant to the Court's Policies and Procedures, defendants Davol, Inc., and C.R.Bard, Inc., by and through its undersigned counsel, hereby move this Court for cancellation or adjournment of the initial conference scheduled for Tuesday, July 29, 2008 at 3:00 p.m.

On June 22, 2007, the Judicial Panel on Multidistrict Litigation ("JPMDL") established a multidistrict litigation entitled In Re Kugel Mesh Hernia Patch Product Liability Litigation ("MDL"), MDL No. 1842. The above case has been identified as a "tag-along" action in Defendants' Notice of Potential Tag Along actions dated July 16, 2008, and as a result, Defendants expect that this case will be transferred to the MDL shortly. (Attached as exhibit A is a copy of the Tag-Along Notice). Granting Defendants' request will save judicial resources and promote efficiency.

WHEREFORE, Defendant respectfully requests that this Court grant its Motion for an adjournment in light of the JPML's anticipated transfer of this case to the MDL Court.

Dated: July 25, 2008

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